

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KEVIN GERIEN,

Plaintiff,

Case No.: 10-cv-08109 (LTS) (MHD)

-against-

245 ASSOCIATES,

Defendant.
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STIPULATION AND ORDER OF FINAL DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff and Defendant, through their undersigned attorneys who state that they have been authorized to enter into this Stipulation, that the Parties have agreed to amicably resolve any and all claims by the undersigned Plaintiff against Defendant in this action, including any claims under the Fair Labor Standards Act, 29 U.S.C. § 201 et seq., and have authorized their undersigned counsel to stipulate, consent and agree to dismiss the instant action with prejudice to Plaintiff. No attorneys' fees or costs will be awarded to any party by the Court. The terms of the Parties' Confidential Negotiated Settlement Agreement have been reviewed and approved by the Court.

ATTORNEYS FOR PLAINTIFF:

By:

Date

William Cafaro
Law Offices of William Cafaro
19 West 44th Street, Suite 1500
New York, New York 10036

ATTORNEYS FOR DEFENDANT:

3/30/11
Date

By: *Michelle Phillips*
Michelle E. Phillips
Michael A. Frankel
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The Court hereby approves the settlement and dismissal of the instant action with prejudice.

SO ORDERED this _____ day of _____, 2011

Hon. Laura Taylor Swain, U.S.D.J.